



111051526

045

ORDINANCE NO. 2006-76C

AN ORDINANCE AMENDING ORDINANCE NO. 2006-76, 2006-76A and 2006-76B ESTABLISHING THAT THE 2006 MAP CORRECTLY IDENTIFIED THE PROPERTY ANNEXED INTO THE CITY; TO CORRECT ERRORS IN THE LEGAL DESCRIPTIONS REGARDING THE ANNEXATION OF CERTAIN REAL PROPERTY(S), SITUATED IN ADA COUNTY, IDAHO, DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, Don W. and Mary H. Johnson, are the owners of certain real property situated in Ada County and particularly described in Section 2 of this ordinance; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by Section 67-6525, Idaho Code, held a public hearing on June 13, 2006, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of A, Agricultural; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on July 5, 2006 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted with the zoning classification of A, Agricultural; and

WHEREAS, on July 9, 2006, the City Council passed ordinance 2006-76 with a map attached as Exhibit B depicting the area annexed into the City and this map correctly describes the property annexed into the City; and

WHEREAS, on July 5, 2006, ordinance 2006-76 had an incorrect legal description of the property to be annexed (Exhibit A); and

WHEREAS, on November 14, 2006, the city of Kuna re-recorded the ordinance 2006-76 (hereafter designated as 2006-76A) to correct the legal description; however, it also contained an error in its legal description of the property annexed in to the City; and

WHEREAS, on December 26, 2006, the Idaho State Tax Commission provided a map to the City that incorrectly detailed the property annexed in to the City; and

WHEREAS, this amendment is necessary to correct the legal description of the property to reflect the properly annexed parcels into the City in 2006, so it conforms with the map and intent of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

RECEIVED

JUL 11 2011

TELEPHONE SUPPORT

RECEIVED

JUN 29 2011

KUNA CITY CLERK

Section 1: The Kuna City Council hereby finds and declares that the map, as attached, as Exhibit B to ordinance 2006-76 correctly identified the property annexed into the City in 2006.

Section 2: The real property, all situated in Ada County, Idaho, city of Kuna and more particularly described in "Exhibit A, B and C"- Legal Description and "Exhibit D"- Site Map, attached hereto and incorporated herein by reference as if fully set forth below is the property as heretofore annexed into and incorporated into the city of Kuna, Idaho.

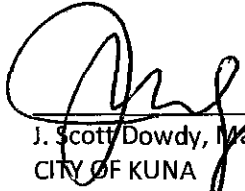
Section 3: From and after the effective date of this ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the city of Kuna.

Section 4: The Deputy City Clerk is hereby directed to file, within ten (10) days of passage and approval of this ordinance, a certified copy of this ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section §50-223, Idaho Code, and to comply with the provisions of Section §63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this ordinance.


Section 6: This ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section §50-901A, Idaho Code, may be published.

DATED this 22 day of June, 2011.

CITY OF KUNA
Ada County, Idaho


J. Scott Dowdy, Mayor
CITY OF KUNA

ATTEST:


Chris Engels, Deputy City Clerk
CITY OF KUNA



ORDINANCE 2006-76C

**EXHIBIT A
LEGAL DESCRIPTION
S1303120810**

This description is for a parcel of land located in Government Lot 2 Section 3 Township 2 North Range 1 West Boise Meridian, Ada County, Idaho as shown on record of survey Inst. #110025380 and more particularly described as follows:

Commencing at the northeast corner of Section 3, thence N 89°29'52" W (basis of bearing) along the north line of said Section 3 a distance of 1548.99 feet to the Real Point of Beginning:

Thence S 0°03'24" E a distance of 25.00 feet;

Thence N 89°29'52" W a distance of 3.08 feet to the centerline of the Harris Lateral;

Thence along the centerline of the Harris Lateral S6°58'52"W a distance of 38.75 feet;

Thence along said lateral centerline, S24°20'23"W a distance of 41.97 feet;

Thence continuing along said centerline, S47°20'53"W a distance of 272.77 feet;

Thence along said centerline, S11°38'35"W a distance of 160.00 feet;

Thence along said centerline, S10°01'08"W a distance of 107.47 feet;

Thence, leaving said centerline, N85°10'02"W a distance of 79.93 feet;

Thence N47°31'29"W a distance of 347.66 feet;

Thence N9°44'52"W a distance of 317.96 feet to the intersection of the north line of Section 3, from which the north one quarter corner of section 3 lies N89°28'52"W a distance of 429.48 feet;

Thence along the north line of section 3, S89°29'52"E a distance of 666.59 feet and back to the point of beginning.

Said parcel contains some 5.147 acres, more or less.

ORDINANCE 2006-76C

**EXHIBIT B
LEGAL DESCRIPTION
S1303120820**

A parcel of land located in the West half of Section 3, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows;

Commencing at the Northeast corner of said Section 3, thence N 89°29'53" W, 1,322.55 feet along the Northern boundary of said Section;

Thence leaving said Northern boundary S 0°03'31" E, 217.45 feet to the **POINT OF BEGINNING**;

Thence continuing S 0°03'31" E, 2,416.67 feet to the South boundary of the NE ¼ of said Section;

Thence along said Southern boundary N 89°53'38" W, 1,325.75 feet to the Center ¼ corner of said Section;

Thence along the mid-section line N 0°00'44" E, 2,643.24 feet to the North ¼ corner of said Section;

Thence along the North boundary line of said section S 89°29'53" E, 429.48 feet;

Thence S 9°44'52" E, 317.96 feet;

Thence S 47°31'29" E, 347.66 feet;

Thence S 85°10'02" E, 79.93 feet;

Thence along the centerline of the Harris Lateral for the next series of calls, N 10°01'08" E a distance of 107.47 feet;

Thence N 11°38'35" E, 160.00 feet;

Thence N 47°20'53" E, 104.00 feet;

Thence leaving said centerline S 89°28'53" E a distance of 375.88 feet to the **POINT OF BEGINNING**;

EXCEPTING THEREFROM rights of way for roads, ditches, canals and laterals.

Said parcel contains 73.68 acres more or less.

ORDINANCE 2006-76C

**EXHIBIT C
LEGAL DESCRIPTION
S1303110115**

A portion of the east half of the northeast 1/4 of Section 3, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows;

Commencing at the Northeast corner of said Section, thence S 0°07'58" E, 423.40 feet to **THE POINT OF BEGINNING**;

Thence, along said centerline of Ten Mile Road, S 0°07'59" E, 1,654.46 feet;

Thence, leaving said centerline, S 89°41'02" W, 161.00 feet;

Thence S 0°07'58" E, 100.00 feet;

Thence N 80°27'40" W, 437.67 feet in a southeasterly direction;

Thence continuing along said line N 73°47'12" W, 76.96 feet;

Thence continuing along said line N 57°10'21" W, 108.18 feet;

Thence N 0°03'29 W, 949.71 feet;

Thence N 89°42'32" W, 568.04 feet;

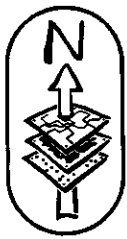
Thence N 0°03'31" W, 1,085.07 feet to the centerline of West Lake Hazel Road;

Thence, along said centerline, S 89°29'53" E, 888.57 feet;

Thence, leaving said centerline, S 0°12'37" W, 423.38 feet;

Thence S 89°29'53" E, 436.49 feet to **THE POINT OF BEGINNING**.

Said parcel contains 45.91 acres, more or less.



ORDINANCE 2006-76C EXHIBIT D

W LAKE HAZEL RD

S MEMORY LN

SUBJECT
PROPERTY(S)

S TEN MILE RD

S OLD FARM LN

0 280 560 1,120 Feet

MCO